

NOCKET FILE COPY ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )

CITY OF BOSTON )

PS Docket No. 07-69

and )

SPRINT NEXTEL CORPORATION )

Mediation No. TAM-11155

Relating to Rebanding Issues in the )  
800 MHz Band )

FILED/ACCEPTED  
AUG 22 2007  
Federal Communications Commission  
Office of the Secretary

To: Office of the Secretary  
Attention: Chief Administrative Law Judge

**NEXTEL COMMUNICATIONS, INC.'S  
FIRST DOCUMENT REQUEST TO CITY OF BOSTON**

Nextel Communications, Inc. ("Nextel"), by its attorneys and pursuant to Sections 1.311 and 1.325 of the Commission's rules hereby requests the City of Boston, Massachusetts ("Boston") to produce the following documents by electronic mail if possible or, if it is not possible to produce the documents by electronic mail, then to produce them at the office of Nextel's counsel, Drinker Biddle & Reath LLP, 1500 K Street, N.W., Suite 1100, Washington, D.C. 20005, for inspection and copying within ten (10) calendar days of the date of this request.

**Definitions**

The following words and terms, as used in this document request, have the meanings set forth below:

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List ABCDE

1. The term "Boston" refers to the City of Boston, Massachusetts, and any divisions, departments or affiliated entities thereof, including its agents, employees, and representatives; and any other persons acting on its behalf.

2. The term "Nextel" refers to Nextel Communications, Inc., a wholly-owned subsidiary of Sprint Nextel Corporation.

3. The term "MCM" refers to MCM Technology, and any divisions, parent companies, subsidiaries or affiliated entities thereof, as well as each and every other legal entity within its control or under common control; any predecessor or successor, as well as any assignors; its partners, officers, directors, agents, employees, and representatives; and any other persons acting on its behalf.

4. The term "document" means, without limitation all written or printed material of any kind, including the original and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise, including, by not limited to, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, agendas, expense accounts, bills of lading, contracts, reports, studies, statements, receipts, returns, summaries, pamphlets, books, inter-office and intra-office communications, notations of any sort or of conversations (including telephone conversations or meetings), bulletins, invoices, work sheets, computer files, or any other documentary materials of any nature whatsoever, and all drafts, alterations, modifications, changes and amendments of any of the foregoing, in the possession, custody, or control of Boston.

5. The term "identify," when used in connection with a document, means that Boston should provide the document's title, its author(s), the date of the document, and any recipients or copies.

6. "Persons" includes natural persons, corporations, partnerships, associations, and other legal entities, and governments or governmental bodies, commissions, boards, agencies or entities.

7. Please deliver your responses to each data request set forth here in writing by electronic mail to:

Laura H. Phillips  
Howard M. Liberman  
Patrick R. McFadden  
Drinker Biddle & Reath LLP  
1500 K Street, N.W.  
Suite 1100  
Washington, DC 20005  
Laura.Phillips@dbf.com  
Howard.Liberman@dbf.com  
Patrick.McFadden@dbf.com

#### **Instructions**

The following instructions shall apply to this document request:

1. References to the singular also include the plural and vice versa.
2. If any document exists or existed, but is currently unavailable, identify such document and its contents as completely as possible, explain why it is unavailable, and provide the date the document was created, its author, and its recipient.
3. If an otherwise responsive document is withheld due to a claim of privilege, state fully the nature of the privilege and explain why the otherwise responsive document is encompassed by the privilege. Also, identify the document, provide a brief

description of the contents of the document, as well as the date the document was created, its author and its recipient.

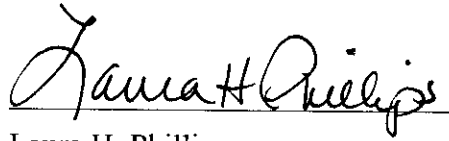
4. For each document produced, indicate the number, or numbers, of the document request to which it is responsive.
5. This request is continuing in character.
6. Unless otherwise stated, the time frame for all document requests is from July 8, 2004 to the present.

### **Document Requests**

1. Provide copies of all documents, including manuals, presentations, correspondence, and quotes, provided to Boston or Boston's representatives by MCM.
2. Provide copies of all correspondence between MCM and Boston.
3. Provide copies of all documents, including all drafts and correspondence, discussing or in any way evaluating MCM software.
4. Provide copies of all documents, including but not limited to correspondence, manuals, presentations, and quotes, provided to Boston or Boston's representatives by any vendor considered as a possible alternative to MCM by Boston.
5. Provide copies of all documents, including all drafts and correspondence, discussing or evaluating any alternative to MCM software considered by Boston.
6. Provide copies of all documents, including all drafts and correspondence, discussing, comparing or evaluating MCM software and/or any alternatives considered by Boston.

Respectfully Submitted,

**NEXTEL COMMUNICATIONS, INC.**

A handwritten signature in cursive script, reading "Laura H. Phillips", written over a horizontal line.

Laura H. Phillips

Howard M. Liberman

Patrick R. McFadden

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202-842-8800

202-842-8465/66 (fax)

Its Attorneys

August 22, 2007

**CERTIFICATE OF SERVICE**


I, Patrick R. McFadden, hereby certify that on this 22nd day of August, 2007, a true copy of the foregoing "Nextel Communications, Inc's First Set of Interrogatories" was served via first class, postage paid United States Mail upon the following:

City of Boston  
c/o Robert H. Schwaninger, Jr.  
Schwaninger & Associates, P.C.  
1331 H Street, N.W., Suite 500  
Washington, DC 20005

Gary Schonman, Special Counsel  
Enforcement Bureau, I&H Division  
Federal Communications Commission  
445 12th St., SW., Room 4C237  
Washington, D.C. 20554

And via facsimile to:

Chief Administrative Law Judge Richard L. Sippel  
Office of Administrative Law Judges  
Federal Communications Commission  
445 12th St., SW.  
Washington, D.C. 20554  
(202) 418-0195



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